

Enrolled
Senate Bill 240

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber, M.D., for Oregon Youth Authority)

CHAPTER

AN ACT

Relating to apprenticeship programs in Oregon Youth Authority institutions; amending ORS 660.142; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 660.142 is amended to read:

660.142. (1) A training agent may not pay an apprentice at a rate less than that obtained by applying the schedule, set forth in the applicable standards, at the apprentice's level of apprenticeship, to the journeyworker hourly rate of wage currently in effect for journeyworkers in the occupation for which the apprentice is being trained, as determined by the appropriate local joint committee.

(2) The journeyworker hourly wage rate shall be the average hourly wage currently being paid by the training agents participating in a program to their skilled workers, that is, to those employees with demonstrated knowledge, experience and proficiency in that trade or occupation who are currently performing the type of work for which the apprentice is to be trained. Upon receipt of a committee's determination of its current journeyworker hourly rate of wage, the State Director of Apprenticeship and Training shall cause notice of the determination to be promptly mailed to all apprentices and training agents participating in the program. The determination shall be in effect from the date set forth in the determination or, lacking such date, from the first of the month following the mailing of the determination. However, neither the wage determination nor the effective date alters the terms or effect of an existing collective bargaining agreement.

(3) If a higher journeyworker hourly wage rate is prescribed by federal or state law for work on a particular project, the higher rate is controlling for purposes of determining apprentice wages applicable to that particular project.

(4) Nothing stated in ORS 660.002 to 660.210 shall be construed to supersede the minimum wage or overtime provisions of ORS chapters 652 and 653, or the rules adopted under ORS chapter 652 or 653. Anything to the contrary notwithstanding, the entry wage (that wage derived by applying the lowest percentage on the schedule to the current journeyworker hourly wage rate) may not be less than the federal or state minimum wage rate, whichever is higher.

(5) The State Apprenticeship and Training Council may make such exceptions to the apprentice wage schedule or journeyworker hourly wage rate, and to the minimum numeric ratio of journeyworkers to apprentices, as it deems necessary or advisable to further the operation of apprenticeship and training programs in Department of Corrections **and Oregon Youth Authority** institutions.

SECTION 2. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.

Passed by Senate March 10, 2015

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 19, 2015

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Tina Kotek, Speaker of House

Received by Governor:

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Approved:

.....M,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2015

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Jeanne P. Atkins, Secretary of State